REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

I. Amendments to the Claims

Claims 55 and 64 have been cancelled without prejudice or disclaimer of the subject matter recited therein.

Further, claims 56-62 and 65-71 have been amended to clarify features of the invention recited therein and to further distinguish the present invention from the references relied upon in the rejections discussed below.

II. 35 U.S.C. § 112, Second Paragraph Rejection

Claims 55 and 64 were rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claims 55 and 64 were rejected because the claimed phrase "the delay time being a time necessary for an action taken by the user to visually identify a text message after the text message is displayed," is allegedly indefinite because one of ordinary skill in the art would not be able to determine how the delay time is determined.

Initially, this rejection is considered to be moot in view of the cancellation of claims 55 and 64. Further, this rejection is believed to be clearly inapplicable to claims 56-62 and 65-71, because claims 56-62 and 65-71 clearly recite how the delay time is determined. Specifically, claims 56-62 and 65-71 recite that the delay time is (determined as) the time necessary for a user to take an action to visually identify a text message after the text message is displayed (i.e., the

time that it takes a person to visually identify a new text message). Further, the claimed "delay time" is clearly defined on pages 8 and 9 of the substitute specification filed on February 19, 2009. Moreover, each of amended independent claims 56-62 and 65-71 now clarify different variations of how the delay time is determined.

Therefore, it is respectfully submitted that claims 56-62 and 65-71 comply with the requirements of 35 U.S.C. § 112, second paragraph. As a result, withdrawal of the 35 U.S.C. § 112, second paragraph rejection is respectfully requested.

III. 35 U.S.C. § 103(a) Rejections

Independent claims 55 and 64 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Baker (U.S. 2004/0190687) and Kivimaki (U.S. 7,174,295). Further, dependent claims 56, 57, 60-63, 65, 66 and 69-72 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Baker, Kivimaki, Gasper (U.S. 4,884,972), Brackett (U.S. 7,151,435), Sturner et al. (U.S. 5,303,327), Kojima et al. (U.S. 5,738,318), and Mills et al. (U.S. 2004/0032935). These rejections are believed clearly inapplicable to amended independent claims 56, 57, 60-62, 65, 66 and 69-71 and the claims that depend therefrom for the following reasons.

Amended independent claims 56-62 and 65-71 each recite that (i) a text display unit displays a text message, (ii) a delay determination unit determines, based on a form of the text message, a delay time necessary for a user to visually identify a text message after the text message is displayed, and (iii) a voice output unit outputs a voice message representing the entire displayed text message, wherein the voice message is output only when the determined delay time passes after the text message is displayed.

According to the structure required by claims 56-62 and 65-71, the Applicants submit that after the user moves their eyes to focus on the displayed text message, the user will start to recognize the displayed text message after the determined delay time, such that based on the determined delay time, the voice message is output at an optimal time of the viewer viewing the text message. These features will cause the text message and the voice message to be more reliably conveyed to the user, thus, strengthening the interface between the claimed invention and the user.

Baker and Kivimaki, or any combination thereof, fails to disclose or suggest the above-mentioned distinguishing features and the result of the structure required by independent claims 56-62 and 65-71.

Initially, please note that the above-described 35 U.S.C. § 103(a) rejections acknowledges that Baker fails to disclose or suggest determining the delay time and outputting the voice message, as now recited in claims 56-62 and 65-71. In light of the above, this rejection relies on Kivimaki for teaching the above-mentioned features which are admittedly lacking from Baker.

However, Kivimaki merely teaches that there is a processor dependent time lapse between the display of the text (see t0 in Fig. 3) and the voice output of a portion of the text (see t1 in Fig. 3), such that the time lapse between the display of the text and the voice output of the portion of the text is a result of the time it takes the processor to convert the text to speech and is not a result of a determined delay time (see Fig. 3, where there is no specified delay between t0 and t1, t2 and t3, and t4 and t5, which is the time lapse between text display and voice output; and see col. 4, lines 31-33).

Thus, in view of the above, it is clear that Kivimaki merely teaches that a time lapse between the display of the text and the voice output of the text is not determined, but is rather a result of the time it takes the process or convert the text to speech, such that Kivimaki fails to disclose or suggest determining, based on a form of the text message, a delay time necessary for a user to visually identify a text message after the text message is displayed, and outputting a voice message only when the determined delay time passes after the text message is displayed, as recited in claims 56-62 and 65-71.

In other words, it is clear that Kivimaki teaches that audio and text are displayed/output without a predetermined delay, but fails to disclose or suggest determining, based on a form of the text message, a delay time necessary for a user to visually identify a text message after the text message is displayed, and outputting a voice message only when the determined delay time passes after the text message is displayed, as recited in claims 56-62 and 65-71.

Furthermore, in light of the discussion above, the combination of Baker and Kivimaki do not provide the result of the structure required by claims 56-62 and 65-71, such that after the user moves their eyes to focus on the displayed text message, the user will start to recognize the displayed text message after the determined delay time, and such that based on the determined delay time, the voice message is output at an optimal time of the viewer viewing the text message, because Baker and Kivimaki fails to disclose or suggest determining, based on a form of the text message, a delay time necessary for a user to visually identify a text message after the text message is displayed, and outputting a voice message only when the determined delay time passes after the text message is displayed, as recited in claims 56-62 and 65-71.

Therefore, for the above-mentioned reasons alone it is believed clear that claims 56-62 and 65-71 would not have been obvious or result from any combination of Baker and Kivimaki.

In addition, claims 56, 57, 60-62, 65, 66 and 69-71 each include limitations that further distinguish the claimed invention from Gasper, Brackett, Sturner, Kojima and Mills (secondary references). These distinguishing limitations are discussed in detail below.

Claims 56 and 65. Amended independent claims 56 and 65 recite that the delay time is determined according to the size of the characters, such that when the characters become larger, the user the time required for visually identifying the text message becomes shorter and when the size of the characters becomes smaller, the time required for visually identifying the text message becomes longer. The Gasper reference was relied upon for teaching the above-mentioned distinguishing limitations.

However, Gasper merely teaches determining a tile size based on font information (see col. 17, lines 30-33). Thus, in view of the above, it is clear that Gasper only teaches that font information is used to determine a tile size, but fails to disclose or suggest that delay time is determined according to the size of the characters, such that when the characters become larger, the user the time required for visually identifying the text message becomes shorter and when the size of the characters becomes smaller, the time required for visually identifying the text message becomes longer, as required by claims 56 and 65.

Claims 57 and 66. Amended independent claims 57 and 66 recite that the delay time is determined according to a distance between a focal point and characters in the text message, such that a long delay time is determined when the distance between a displayed text message and a focal point on the text display unit is long, and a short delay time is determined when the distance between the displayed text message and the focal point on the text display unit is short. The Brackett reference was relied upon for teaching the above-mentioned distinguishing limitations.

However, Brackett merely teaches the use of an alarm, an icon, and a visual signal (see col. 5, lines 30-41). Thus, in view of the above, it is clear that Brackett only teaches using alarms, icons and visual signals, but fails to disclose or suggest that the delay time is determined according to a distance between a focal point and characters in the text message, such that a long delay time is determined when the distance between a displayed text message and a focal point on the text display unit is long, and a short delay time is determined when the distance between the displayed text message and the focal point on the text display unit is short, as required by claims 57 and 66.

Claims 60 and 69. Amended independent claims 60 and 69 recite that the delay time is determined according to an age of the user, such that a long delay time is determined when the age of the user is high, and a short delay time is determined when the age of the user is low. The Sturner reference was relied upon for teaching the above-mentioned distinguishing limitations.

However, Sturner merely teaches considering the age of the user (see col. 6, lines 1-15), but fails to disclose or suggest the specific limitations of determining the delay time according to the age of the user such that a long delay time is determined when the age of the user is high, and a short delay time is determined when the age of the user is low, as required by claims 60 and 69.

Claims 61 and 70. Amended independent claims 61 and 70 recite that the delay time is determined according to a number of times the user operates the voice output apparatus, such that a short delay time is determined when an obtained number of operations is large, and a long delay time is determined when the obtained number of operations is small. The Kojima reference was relied upon for teaching the above-mentioned distinguishing limitations.

However, Kojima merely teaches counting and considering the number of times the apparatus is used (see col. 3, lines 54-64), but fails to disclose or suggest the specific limitations

of determining the delay time according to a number of times the user operates the voice output apparatus, such that a short delay time is determined when an obtained number of operations is large, and a long delay time is determined when the obtained number of operations is small, as required by claims 61 and 70.

Claims 62 and 71. Amended independent claims 62 and 71 recite that the delay time is determined according to an operation time during which the user operates the voice output apparatus, such that a short delay time is determined when the operation time is long, and a long delay time is determined when the operation time is short. The Mills reference was relied upon for teaching the above-mentioned distinguishing limitations.

However, Mills merely teaches that time is taken into consideration (see paragraph [0011]), but fails to disclose or suggest the specific limitations of determining the delay time according to an operation time during which the user operates the voice output apparatus, such that a short delay time is determined when the operation time is long, and a long delay time is determined when the operation time is short, as required by claims 62 and 71.

Therefore, for these additional reasons it is also believed clear that claims 56, 57, 60-63, 65, 66 and 69-72 would not have been obvious or result from any combination of Baker, Kivimaki, Gasper, Brackett, Sturner, Kojima and/or Mills.

Furthermore, there is no disclosure or suggestion in Baker, Kivimaki, Gasper, Brackett, Sturner, Kojima and/or Mills or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Baker, Kivimaki, Gasper, Brackett, Sturner, Kojima and/or Mills to obtain the invention of independent claims 56, 57, 60-63, 65, 66 and 69-72. Accordingly, it is respectfully submitted that independent claims 56, 57, 60-63, 65, 66 and 69-72 are clearly allowable over the prior art of record.

IV. Allowable Subject Matter

Claims 58, 59, 67 and 68 were identified by the Examiner as being allowable if rewritten in independent form to include all of the limitations of base their respective base claims (i.e., independent claims 55 and 64). The Applicants would like to thank the Examiner for this indication of allowable subject matter.

As mentioned above, claims 58 and 59 have been amended to include the limitations of base claim 55 and claims 67 and 68 have been amended to include the limitations of base claim 64.

Accordingly, in view of the Examiner's indication of allowable subject matter as discussed above, it is submitted that amended independent claims 58, 59, 67 and 68 are allowable.

V. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,
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